

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 4-7, 9, 17, 19-21, 23-25, 27, 35, 37-39, 41, and 43-51 are presented for examination with Claims 2, 7, 9, 17, 19, 20, 25, 27, 35, 37, 38, and 48-51 being held to be withdrawn from consideration. Claims 1, 2, 6, and 7 are amended without the introduction of any new matter. Claims 3, 8, 10-16, 18, 22, 26, 28-34, 36, 40, and 42 were previously canceled without prejudice.

In the outstanding Office Action, Claims 1, 4-6, 21, 23, 24, 39, 41, and 43-47 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nagata et al. (U.S. Patent No. 6,316,814, herein "Nagata") in view of Applicants' admitted art (AAA).

In response to the rejection of Claims 1, 4-6, 21, 23, 24, 39, 41 and 43-47 under 35 U.S.C. § 103(a) as unpatentable over Nagata in view of AAA, independent Claims 1 and 6 have been amended to recite that the base region of second conductivity type is formed above the first semiconductor region and that the second semiconductor regions of the first conductivity type are formed on the base region. Claims 1, 6, and 24 have all been further amended to clarify that the second insulating film is "formed of an upper surface" of the gate wiring and to make clear that upper surface(s) of the main electrode(s) is (are) higher than the highest portions of an uppermost surface of the gate wiring. The claim amendments find support, for example, in Figures 1 and 8 and their corresponding description in the specification. No new matter has been added.

Turning to Figures 1A and 1B of Nagata, these figures show an imaging device having a photoconversion region 14 and a plurality of wiring layers 15A, asserted by the outstanding Office Action to correspond to the claimed main electrode. However, Nagata does not teach or suggest that a connecting plate connected to a lead frame is directly

connected onto the wiring layer 15. Even assuming, arguendo, that there is a motivation to add and connect the connecting plate onto the wiring layer 15 in Nagata, that connection is not possible because of the photoelectric conversion structure of the CMOS sensor of Nagata.

Further, the outstanding Office Action states that Nagata “do not teach a connecting plate which is connected to a lead frame and is directly connected onto the upper surfaces of the main electrodes.”¹ The outstanding Office Action relies on AAA for showing (in Figure 21) a connecting plate 2109 that is directly connected to an upper surface of the main electrode 2105. However, irrespective of the suggestion of AAA, the device of Nagata cannot be modified as suggested by the outstanding Office Action because the modification would render Nagata’s device unsuitable for its intended purpose as adding the plate 2109 to the top of 15(a) will block light from entering the device.²

Furthermore, film 24 of Nagata is not shown or described to be on an upper surface of the gate.

Applicants note that amended Claims 2 and 7, as well as Claims 9, 17, 19, 20, 25, 27, 35, 37, 38 and 48-51, all clearly read on the first embodiment including Figs. 1-9 that includes the elected species of Fig. 8. Accordingly, these claims cannot be held to be withdrawn from consideration.

Claims 2, 7, 9, 17, 19, 20, 25, 27, 35, 37, 38 and 45-51 depend from independent Claims 1, 6, and 24, which are believed to be allowable as noted above. Accordingly, it is respectfully submitted that Claims 2, 7, 9, 17, 19, 20, 25, 27, 30, 37, 38 and 45-51 are allowable for similar reasons as discussed above.

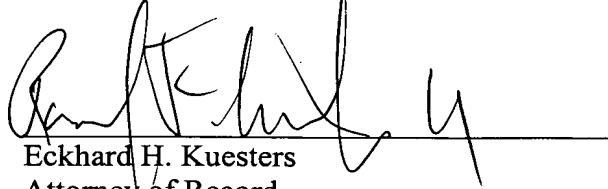
¹ Outstanding Office Action, page 3, lines 3-4.

² See MPEP §2143.01V.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Eckhard H. Kuesters', is written over a horizontal line.

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